

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

EARL MOTSCHENBACHER,)	
)	
Plaintiff,)	8:06CV640
)	
v.)	
)	
BNSF RAILWAY COMPANY,)	ORDER
Individually and as Successor-in-)	
Interest to the,)	
)	
Defendant.)	
_____)	

This matter comes before the Court on the parties' joint Stipulation of Dismissal with Prejudice (Filing No 16). The Court, being fully advised in the premises, finds that the Stipulation complies with the requirements of Fed. R. Civ. P. 41(a)(1) and should be sustained. Accordingly,

IT IS ORDERED:

1. The joint Stipulation of Dismissal with Prejudice (Filing No. 16) is approved;
2. The Complaint (Filing No. 1) is hereby dismissed with prejudice; and
3. The parties will pay their own costs and attorney fees.

DATED this 28th day of July, 2008.

BY THE COURT:

s/ Laurie Smith Camp
United States District Judge